

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING INCREASING TIPPING FEES FOR CONSTRUCTION & DEMOLITION WASTE DISPOSED AT BROOKS LANDFILL IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF INCREASING TIPPING FEES AT BROOKS LANDFILL IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to increase tipping fees for construction and demolition waste transported for disposal at brooks Landfill.

SECTION 2. That the cost of said tipping fees provided for in Section 1 hereof shall be increased from Twenty-Nine Dollars (\$29) per ton to Thirty-One Dollars (\$31) per ton, with 100 percent of the Two dollar (\$2) increase payable to the City of Wichita. Said cost as above set forth is hereby increased as of September 1, 2012, exclusive of all other conditions and requirements.

SECTION 3. That all costs of said tipping fees, when ascertained, shall be assessed against the owner/operator of the privately owned hauled waste transporter that is transporting waste with the intention of disposing of said waste herewith at the Brooks Landfill facility.

SECTION 4. That the method of apportioning all tipping fees of said construction and demolition waste shall be distributed as follows:

Sixteen Dollars (\$16) per ton allocated to the City of Wichita

Fourteen Dollars (\$14) per ton allocated to the Landfill Operations Contractor – Herzog Environmental

One Dollar (\$1) per ton allocated to the State of Kansas as required by State Permit Conditions.

SECTION 5. That all other conditions stipulated in the Contractual Amendment between the City and Herzog Environmental, signed and dated on May 8, 2012, shall apply.

SECTION 6. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 7. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

PASSED by the governing body of the City of Wichita, Kansas, this 21 day of August, 2012.

CARL BREWER, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK
(SEAL)

APPROVED AS TO FORM:

GARY E. REBENSTORF
DIRECTOR OF LAW